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# Presidential Address: Jews, Human Rights, and the Making of a New Canada

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### Résumé de l'article

Pendant la première moitié du XXe siècle, le Canada ne s'est pas montré très hospitalier envers les juifs. La xénophobie, le nativisme et l'antisémitisme ont sous-tendu l'instauration de toute une série de quotas et de restrictions qui limitaient les endroits où les juifs pouvaient vivre, s'instruire, travailler et jouer. Ont également alimenté ces politiques durant les années 1920, 1930 et 1940 la propagande nazie, la recherche d'un bouc émissaire de la crise économique, la peur du communisme, les haines religieuses et l'inquiétude généralisée suscitée par la récente arrivée massive d'immigrants. Vers la fin des années 1940, les leaders de la communauté juive canadienne lancèrent une offensive contre ces comportements discriminatoires. Ils recoururent à des campagnes publicitaires et à d'autres moyens pour graduellement se gagner l'appui de personnes actives au sein d'églises et de groupes d'aide sociale ; ils purent également compter sur l'Association of Civil Liberties et sur Leslie Frost, le nouveau premier ministre de l'Ontario. Au début des années 1960, ils avaient réussi à faire mettre en place des mécanismes pour protéger les minorités et le Canada avait commencé à abroger ses lois racistes sur l'immigration. Par leurs interventions dans le mouvement en faveur des droits de la personne des années 1940 et 1950, les leaders juifs contribuèrent de façon décisive à améliorer le traitement réservé aux minorités au Canada à la fin du XXe siècle.

## **PRESIDENTIAL ADDRESS DISCOURS DU PRÉSIDENT**

### **Jews, Human Rights, and the Making of a New Canada**

**IRVING ABELLA**

**P**icking a topic for this address, as most of my predecessors have observed, is almost as difficult as writing it. After much reflection, and after many false starts, a whole series of events came together which would choose my subject for me. I remembered Judith Fingard's dazzling presidential speech two years earlier in Ottawa in which she showed that the personal history of the historian was crucial to the choice of his or her area of research. Then I was informed that the Royal Society would join us in our sessions and had selected human rights in Canada as their theme.

As well, the year 2000 marks several important anniversaries in my family. Exactly 75 years ago this week, my father arrived in Halifax, a bewildered 15 year old from Eastern Europe escaping the bitter pogroms and vicious anti-Semitism that would soon engulf his world and destroy it. He loved his new country, and despite the antipathy directed towards him and other Jews during the first part of his life here, he watched a new and better Canada take shape before his eyes. He worked hard every day of his life to make sure that this country would not regret allowing him in.

Twenty-five years later, exactly 50 years ago this month, another child arrived at Pier 21 in Halifax. This little 4 year old was born in a displaced persons camp in Germany, the daughter of survivors of concentration camps who had lost everything – friends, fortune and family, including a 2 year old child – to the murderous Nazis. They were determined to do well in their new home, and they succeeded brilliantly. Today that little girl sits on the Court of Appeals of Ontario, though I must admit that when I married her, Rosie Silberman was still a lowly law student.

So it all came together. Human rights, Jews, the holocaust; the new Canada versus the old; anti-Semitism and xenophobia; the year 2000. When and why and how did Canada change from the benighted, nativist nation it was a generation or two ago, to the humane, decent, culturally diverse nation it is today? And finally, in support of the Fingard law, when I was elected, the resident CHA historian and secretary, Don Wright, reminded me that I was the first Jewish president in the 73-year history of the Canadian Historical Association.

And so I chose as my topic: Jews, Human Rights, and the Making of a New Canada.

The Canada of the first half of the last century and particularly from the 1920s through the 1940s was a foreboding place for Jews, as it was for most immigrants. Closed to most of the world by racist immigration laws that divided the peoples of the world into preferred and (mostly) non-preferred, Canada was a country permeated with xenophobia, nativism and anti-Semitism. The Jew was the pariah of Canadian society, demeaned, denounced and discriminated against.

For Canadian Jews in these years, quotas and restrictions were a way of life. According to a 1938 study by the Canadian Jewish Congress, few of the country's teachers and none of its school principals were Jewish. The banks, insurance companies and the large industrial and commercial interests, it charged, also excluded Jews from employment. Department stores did not hire Jews as salespeople. Jewish doctors could not get hospital appointments, and when one Jewish doctor, Sam Rabinovich, was hired as an intern at the Montreal hospital, the other interns went out on strike, along with other doctors, closing the hospital for a week until Rabinovich was fired.<sup>1</sup>

If the Jew experienced difficulty finding a job or getting an education, finding a place to live or to vacation was even harder. Increasingly, restrictive covenants were placed on various properties prohibiting their sale to Jews, and at beaches and resorts throughout the nation, signs were springing up that banned Jews. So-called swastika clubs of young hoodlums were formed to intimidate Jews and keep them away from "restricted" beaches. The threat of violence was so great that Jewish leaders took the unusual step of warning the community "not to hold large gatherings in any portion of the city where such a gathering is liable to arouse the animosity of certain classes of the non-Jewish population."<sup>2</sup> Indeed, so threatening did the situation appear that a Jewish member of the Ontario legislature warned his co-religionists: "Unless something is done quickly then Jewish people may well meet the same fate in Canada that the Jews are meeting in Germany...No fire is so easily kindled as anti-Semitism. The fire is dormant in Canada, it has not yet blazed up, but the spark is there. Germany is not the only place with prejudice."<sup>3</sup>

Why was Canada so anti-Semitic? There are various reasons. To some extent the massive anti-Semitic propaganda of the Nazis had its impact. Some were taken in by it and by such American hate mongers as Henry Ford, Father Coughlin, Gerard L. K. Smith and dozens of others. It was also a time of depression and the search for scapegoats invariably ended at a Jewish doorstep. Jews were also publicly seen and denounced as troublemakers. The prominence of Jewish names in the left-wing movement seduced many gullible or malevolent

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1 Canadian Jewish Congress Archives, Montreal, (CJC). Files on Anti-Semitism, 1934-1939.

2 Ibid.

3 Toronto *Star*, 24 April 1933.

Canadians into believing that most Jews were Communists. Obviously, many others hated Jews for religious reasons. Much of the anti-Semitism in Quebec and in fundamentalist areas of western Canada originated from religious teachings. Jews had killed Christ, had refused to repent or convert to Christianity and, therefore, were damned.

In addition, many Canadians were reacting to the three decades of almost unlimited immigration. The rapid rise of nativism in the 1920s came out of a concern for the type of Canada that these millions of uneducated, illiterate aliens would produce. For many, the Jew, since he tended to live in cities and therefore was the most visible of immigrants, symbolized this mongrelization. Anti-Semitism to many, therefore, was simply an extreme form of Canadian nationalism. Also, many immigrants, particularly from Eastern Europe, had brought over traditional anti-Semitic phobias. An anti-Jewish tradition of many generations could not be dissolved overnight.

All of these were factors contributing to the anti-Semitism that permeated Canada in these years. One factor, however, stands out, and that was a feeling amongst many Canadians, especially the opinion-makers – the politicians, academics, writers, businessmen and journalists who set the tone for a society – that the Jew simply did not fit into their concept of Canada. Their's was to be a country of homesteaders and farmers. Despite what the Jews were doing in Palestine at the time – turning a desert green – few Canadians felt that Jews could make successful agriculturalists. Those immigrants who did not farm were expected to go into the woods, or mines or smelters, or canneries, or textile mills, or join the construction gangs needed to build and fuel the great Canadian boom. And most Canadians felt that Jews did not fit this pattern, that they were city people, in a country attempting to build up its rural base, that they were peddlers and shopkeepers in a country that wanted loggers and miners. They were seen as a people with brains in a country that preferred brawn, as a people with strong minds in a country that wanted strong backs.

What is most astonishing about this anti-Semitism is how few and powerless were Canadian Jews at this time. They made up just over 1 per cent of the population and had no political or economic clout. Clearly they could be seen as a threat only by the paranoid. Equally surprising was the silence of the churches in the face of this frightful and oppressive anti-Jewish feeling.<sup>4</sup>

Perhaps Canada's attitude was best symbolized by its treatment of a young, brilliant law student who arrived back in Canada in the 1930s fresh from an outstanding academic record at Harvard. His applications to teach at the universities of Manitoba and Toronto were rejected because he was Jewish. He found it difficult to rent a home in Toronto because many areas of the city were

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4 Alan Davies and Marilyn Nefsky, *How Silent Were the Churches? Canadian Protestantism and the Jewish Plight during the Nazi Era*, (Waterloo, 1997).

restricted. His wife, a trained cosmetician, was turned away by Eaton's because she was Jewish. To survive he agreed to write head-notes for court cases for a law journal at 50¢ a piece. Eventually he was hired by the University of Toronto but only after the head of the law department wrote a bizarre letter to a doubting president testifying that though the young man was a Jew, he was nonetheless "a loyal British Subject, loyal to our institutions and traditions... [who]...will not disgrace the university...[and who has]...sworn on a bible before witnesses that [he is not] a member of any subversive movement."<sup>5</sup>

And this is how Bora Laskin finally began an academic career that would eventually lead, in a newer, different Canada, to the chief justiceship of the Supreme Court.

The University of Toronto was not alone. As Gerald Tulchinsky has shown, most universities were determined to limit their Jewish student enrolments and to keep their faculties free of Jews.<sup>6</sup> And they succeeded. Most notorious of all was McGill. For years it was an open secret that standards of admissions were far higher for Jewish applicants than for anyone else. And from the university's point of view, for good reason. As principal Sir Arthur Currie warned, so many Jews would qualify for admission that there would scarcely be any room for non-Jews. McGill, he cautioned, would become the Yeshiva University of the North. His own Dean of Arts, R.A. Mackay, was even more brutal. Jews, he said, "are of no use to this country...[because] their traditions and practices do not fit in with high civilization in a very new country."<sup>7</sup> It was this attitude that explains Canadian university behaviour during the refugee crisis of the 1930s and 40s.

Of the tens of thousands of Jewish intellectuals, scientists, writers, and artists driven out of German universities and schools, only a tiny handful, perhaps a dozen, found jobs in Canadian academic institutions. Though some Canadian professors supported the movement of Jewish scholars to Canada, most were indifferent or aggressively hostile. Indeed, a past president of the Canadian Historical Association praised the government for its restrictionist policy and warned that if the policy became more flexible, Canadian universities would be flooded with Jews. What would happen, he asked, to the country's graduate students if Canada allowed in European Jewish academics? There would be no jobs for them, he charged, since the Jews would have taken them all.<sup>8</sup>

5 Irving Abella, "The Making of a Chief Justice: Bora Laskin, The Early Years" in *The Cambridge Lectures 1989*, F.E. McArdle ed. (Montreal, 1990): 164.

6 Gerald Tulchinsky, *Branching Out: The Transformation of the Canadian Jewish Community* (Toronto, 1998).

7 McGill University Archives, Mackay to Jenkins, 23 April 1926.

8 National Archives of Canada (NAC), R.J. Manion Papers, MG 27-III B7, G.F.G. Stanley to Manion, 21 December 1938.

## JEWS, HUMAN RIGHTS, AND THE MAKING OF A NEW CANADA

At the annual Conference of Canadian Universities in 1939, a session was held to discuss the plight of the refugee intellectual. The chair of the meeting, a distinguished Canadian scientist, reassured his audience that they need not be concerned; no sacrifice would have to be made by them. Rather a resolution was unanimously passed calling on the government not to admit any refugee who might take a job from a Canadian and demanding that all those refugees already in the country on temporary permits who could only find jobs "for which other Canadians might be qualified" be deported.<sup>9</sup> This resolution was passed in May of 1939, just three months before the Nazis marched into Poland.

With the onset of war, if Canadian attitudes towards Jews changed at all, it was for the worse. Fully half of the Canadian people, according to a Gallup poll in 1943, indicated that they wanted no more Jews in the country. At about the same time, Maurice Duplessis was campaigning through Quebec waving a copy of a document, which he charged showed that the federal government had made a deal with the International Zionist Brotherhood, a fictitious group, to settle 100,000 Jews in Quebec in return for campaign funds for Liberal candidates.<sup>10</sup> Duplessis was decisively elected.

Even the end of the war brought no respite for Canadian Jews. Discovery of the Nazi barbarities against the Jews, and the graphic horrors of the Holocaust detailed by newspapers, magazines, and newsreels in theatres across Canada did not lessen anti-Semitic feelings. Rather, it seemed to exacerbate them. According to all the opinion polls, anti-Jewish feeling actually rose in Canada between 1945 and 1948. Indeed a notorious Gallup Poll in 1946 indicated that Canadians preferred almost any kind of immigrants, including Germans, to Jews. Almost 50% of those questioned were opposed to any further Jewish immigration to Canada.<sup>11</sup>

Nevertheless it is clear that by 1948, attitudes in Canada were beginning to change. Mackenzie King had retired; the venomous Frederick Blair, the xenophobic Deputy Minister of Immigration, was dead. And new leaders with new ideas and expanded visions began moving into positions of power. Many felt that Canada's hour of opportunity had finally arrived. With most of the world's economies still devastated, Canada was on the brink of becoming a genuine world power. All she needed was more people. Thus Canada's immigration doors were flung open and over the next decade, over a million and a half newcomers poured through, including thousands of Jews, most of them survivors of death camps.

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9 CJC, Constance Hayward, Report on National Conference of Canadian Universities, May 1939.

10 Irving Abella and Harold Troper, *None Is Too Many: Canada and the Jews of Europe, 1933-1948* (Toronto, 1982), chapter 6.

11 CJC, Canadian Institute of Public Opinion News Service Releases, 1946-7.

By 1948 as well, the pervasive anti-Semitism of earlier years had receded. Obviously, the horrors of the Holocaust shocked many Canadians; others were caught up in the dramatic struggle of the Jews in Palestine to create their own state. Though official Canadian policy was to support the British attempts to forcibly blockade Jewish refugees from entering Palestine, it seemed that a large number of Canadians sympathized with the plucky struggle of the beleaguered Jews in the Holy Land.

It was at this propitious moment that Canadian Jewish leaders chose to launch an all-out offensive against discriminatory practices in Canada.

This was not the first time such an attempt had been made. In the late 1930s, the Canadian Jewish Congress had set up a committee called the Joint Public Relations Committee (JPRC) with the cooperation of another Jewish communal organization, the B'nai B'rith, to deal with discrimination against Jews in employment. But its strategy was fatally flawed. It was decided to approach firms that discriminated in a "social, friendly manner." As the Chair of the committee put it: "By personal contact and conversation with various employers, a great deal of constructive work can be done."<sup>12</sup> This strategy was simply a continuation of the quiet diplomacy used by the Congress in its vain efforts to get the Canadian government to allow Jewish refugees into Canada. Predictably the strategy proved hopeless. The enveloping anti-Semitism of the period had been too powerful to be pierced.

But the JPRC persevered and believed that if it could not compel employers to end their discriminatory behaviour, at least it could embarrass them by publicizing their conduct. And as it turned out, amongst the worst offenders was the Government of Canada. So deeply embedded was anti-Semitism in the National Selective Service, the government's employment agency, that even war industries starved for workers would regularly reject Jewish applicants. NSS officials stubbornly refused to refer Jewish workers to various munitions plants, prompting even the non-partisan Canadian Legion at the behest of the Congress to pass a resolution demanding the elimination of discriminatory practices in war industries. Only then did the Director of the Service, after a meeting with Jewish leaders, issue a directive that the Service must stop its discriminatory behaviour at once. The directive, however, had little effect, and NSS officials continued their behaviour until the end of the war.<sup>13</sup>

Nor did the Congress have much success in its campaigns to prohibit discriminatory signs and advertisements or to stop the anti-Semitic abuse by government officials. In a well-publicized incident a Jewish landlord complained to a Toronto city official that he had been called a "dirty Jew" by a municipal employee. The official's response was: "Well then, don't be a dirty

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<sup>12</sup> CJC, Minutes, Plenary Session, 1936.

<sup>13</sup> CJC, Discrimination in Employment files, 1940-5.

Jew." When Congress complained to the mayor, it was told that being called a dirty Jew "doesn't necessarily make you one." Even worse, it was reported that the Mayor of the City of Toronto had referred to one of his aldermen as "a dirty Jew." Congress leaders attempted to meet the mayor. His response: "I have no more respect for Jews than Hitler has." The mayor was easily re-elected.<sup>14</sup>

In 1943, angered by a decision of the Port Elgin Council to revoke the licences of all hotels and tourist homes that admitted Jews as guests, a Liberal member of the Ontario Legislature introduced a bill to bar discrimination in housing and accommodation. The Congress campaign to support the bill was joined by the newly created Canadian Council of Christians and Jews whose leader, the Reverend Claris Silcox of the United Church, wrote Ontario Premier George Drew: "It is no use fighting Nazism abroad and condoning it in Ontario, nor it is any use throwing stones at Quebec for its anti-Semitism while we encourage it in our province."<sup>15</sup>

For once the campaign against discrimination had some success. Concerned about the real threat of the CCF, Drew's minority Conservative government introduced the Racial Discriminatory Act that prohibited the publication and display of discriminatory signs and symbols. Unfortunately it provided for few sanctions and was largely ignored.

But it was as far as the Drew government was prepared to go. Supported by the Toronto *Globe* and the *Telegram*, who argued that anti-discrimination laws were a threat to free speech and would lead Canada down the path of dictatorship, for the rest of his tenure as premier, Drew refused to meet any Jewish lobby groups.

By 1946 the Congress was ready to try again. As Jewish soldiers were returning from overseas they found the same old restrictions barring their way. In a much publicized incident, a veteran was fired from his salesman's job in a Toronto hardware store when it was discovered he was Jewish. "I would lose customers," the storekeeper explained. Others found that skating rinks, swimming pools, golf clubs and hotels refused them admission despite their heroic efforts on behalf of their country.<sup>16</sup>

Outraged that this kind of behaviour was perfectly legal, the Congress organized a protest march of various ethnic and religious groups from City Hall to the Icelandia Skating Rink, which had refused to remove its signs restricting admission to Gentiles. As a result of the march, the coverage of it by the Toronto *Star*, and a meeting with Congress officials, the Toronto Police Board ruled that licences of public places were subject to cancellation if the licence

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14 CJC, Files on Anti-Semitism, 1939-45.

15 Public Archives of Ontario (PAO), Drew Papers, RG 3, Box 434, File 74-6, February-March, 1943.

16 CJC, Files on Anti-Semitism, op. cit.



holder discriminated against any minority. This was the first of many victories for the Jewish Public Relations Committee and for its new partner, the aggressive Jewish Labour Committee. Its 50,000 feisty members would provide the backbone to the Congress' political lobbying.

The partnership was not a happy one. The JPRC, composed of middle class businessmen and professionals, never felt comfortable with the combative trade unionist leaders of the Jewish Labour Committee. The former preferred a cautious approach; the latter believed in the words of its director Kalman Kaplansky that "you have to be nasty and noisy if you want to get anything done."<sup>17</sup> But in the end, both submerged their differences and joined together to fight the battle for human rights.

The campaign was given a boost by J. Keillor Mackay of the Supreme Court of Ontario who ruled in 1945 that the restrictive covenant clause barring the sale of property to Jews and others was not in the public interest and therefore illegal. Though the case worked its way through the courts for another five years before the Supreme Court gave a definitive judgement, the first blow against discrimination had been struck. Others would soon follow.

A massive publicity campaign was launched by Jewish organizations. Led by two activists, Saul Hayes and Ben Kayfetz, the JPRC conducted a survey documenting many hundreds of cases where race, nationality, or religion had prevented someone from getting a job. Speakers and literature were sent to various groups across the country encouraging them to lobby for the removal of discriminatory laws. Institutes for race relations were founded and the National Film Board and the CBC were persuaded to develop supportive films and programmes.<sup>18</sup> Meanwhile the Jewish Labour Committee distributed thousands of pamphlets, published newsletters and articles, and lobbied extensively amongst labour leaders and politicians. Between the two organizations, hundreds of thousands of Canadian households were reached.<sup>19</sup>

A national poll in 1947 reported that 64% of Canadians were in favour of removing discriminatory hiring policies. Yet the Ontario government was not convinced. It rejected any attempts to introduce new legislation on the grounds that discrimination in Ontario was so negligible that it warranted no corrective action.

Only days after rebuffing opposition attempts to present anti-discriminatory bills to the House, the Ontario government suffered a grievous blow. Ben Kayfetz had approached a journalist, Pierre Berton, to write an article on discrimination in Canada. Entitled "No Jews Need Apply," it appeared in *Maclean's*

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17 Interview, Kalman Kaplansky, June 1982.

18 Herbert Sohn, "Human Rights Legislation in Ontario; A Study of Social Action," unpublished Ph.D thesis, University of Toronto (1975), chapter 1.

19 Arnold Bruner, "Citizen Power: The Story of Ontario Human Rights Legislation," *Viewpoints* 3 (1981): 5.

*Magazine* in November of 1948, and did for Canada, and specifically Ontario, what the movie "Gentlemen's Agreement" had done a year earlier for American audiences south of the border. Berton concluded that discrimination in the province was so widespread that only legislation could change it. The research for the article was done primarily through test cases. Berton had one woman call for advertised jobs using the name Greenberg. She then called back using the name Grimes. Of 47 calls, Greenberg got 17 interviews, while Grimes got 41. In 21 cases Greenberg was told the job was filled, though a week later most of the jobs were still being advertised. Berton then followed up by contacting the firms. He wrote that most would never hire a Jew over a Gentile, since the "Jewish temperament" was not conducive to employment among Gentiles, while others simply said that Jews "don't know their place," and they would never knowingly hire a Jew. Finally, one munitions plant manager was insulted by Berton's allegation, proudly arguing that of 1700 employees, 2 were Jews.<sup>20</sup> Berton concluded that anti-Semitism was as strong as ever in Canada, especially in professions such as nursing, engineering, banking, university teaching, and judging. There were only two Jewish judges in the entire country.

Using the article as ammunition, the Jewish community increased its pressure on both federal and provincial governments to pass legislation to deal with the problems uncovered by Berton. Their case was strengthened by newspaper coverage of a number of disturbing incidents taking place in Ontario. A Black woman was rejected from a nurses' training programme in the Owen Sound General Hospital. Other Blacks reported they could not find jobs as nurses anywhere in Canada. A Black war veteran and community leader in Hamilton was refused entry to a public dance because officials felt it "would be bad for business."<sup>21</sup> Lamely, the Ontario government claimed it could do nothing since "you cannot legislate tolerance." Discrimination, the province's Attorney General claimed, could not be eradicated by statute. It would "have to erode gradually, on its own."<sup>22</sup>

Worse for the Ontario government, attention was now focused on the town of Dresden, where it was reported that 4 of town's 5 restaurants would not serve Blacks nor would the hotels allow Blacks as guests. Though Dresden was important to Black history as the burial place for the man thought to be the model for the protagonist of *Uncle Tom's Cabin*, and had been a haven for Blacks escaping slavery, it was in the 1950s little different from any town in the southern US. Blacks were excluded socially and economically from town life; barbershops, beauty salons, taverns and pool halls refused admission and service to all Blacks.

20 *Maclean's Magazine*, November 1948.

21 CJC. Files on Anti-Semitism, op.cit.

22 Sohn, op. cit. p.11.

By now the campaign of the Jewish community was gaining important new allies. Various church and service groups offered their support, as did the Association of Civil Liberties, an important legal organization. Its most significant convert, however, was the new Premier of Ontario, Leslie Frost. A pragmatist, Frost was far more sympathetic to the objectives of the Jewish community than had been his predecessor George Drew. Frost was also very much aware of the changing demography in Ontario. The province was becoming increasingly less British, as the post-war boom was bringing tens of thousands of immigrants from Southern and Eastern Europe. And they were settling in the cities of the province, not on its farms. At the same time, the number of trade unionists had increased by some 65% in a decade. The new Canada was beginning to take shape.

Frost was keenly aware that he was leading a new Ontario whose votes his rural-based Conservative party would be hard-pressed to attract. But he was equally aware that many elements of his own party were adamantly opposed to the changes proposed by the Jewish lobby groups. As well, he had heard that any new legislation might increase tensions amongst Protestants, Catholics, and Jews. His initial instinct was to eschew legislation and to move slowly, to allow the majority to voluntarily treat all minorities fairly rather than to enjoin them to do so by law.

Meanwhile members of both the JPRC and the Jewish Labour Committee were unrelenting in their lobbying. They arranged for delegations to meet the Premier and his Cabinet colleagues; they spoke at hundreds of meetings across the country, they planted articles in the press, they met editorial boards; they distributed pamphlets; they embarked on letter-writing campaigns and they arranged for talks on radio and to various service clubs of prominent speakers who supported their views. One of these, Senator Wayne Morse (a Republican from Oregon), spoke so passionately and persuasively on the Trans-Canada network of CBC radio in favour of fair employment legislation that it had a real impact on one of his listeners, the Premier of Ontario, Leslie Frost.<sup>23</sup>

By 1951 it was clear that the lobbying had made a real difference. Most Ontario newspapers were now in favour of anti-discrimination legislation, as were many city councils across the province. And so it seemed was Premier Frost. He arranged a quick meeting with the Jewish and Civil Liberties organizations and told them secretly that he would be enacting an anti-discrimination law in the next session of the House.<sup>24</sup>

Three weeks later, in the Speech from the Throne, the Government of Ontario announced its intention of introducing a fair employment practices act, which would bar discrimination in hiring because of the race, creed, colour,

23 Ben Kayfetz, "On Community Relations in Ontario in the 1940s," *Canadian Jewish Studies* 2 (1994): 60.

24 Ibid.

nationality, ancestry, or place of origin. It was a remarkable piece of legislation and the historians who have written about it (particularly James Walker and Ruth Frager and Carmela Patrias) have described it as one of the Jewish community's great victories in this country.<sup>25</sup> But more would follow. There would be no let-up in the Jewish groups' activities. They would act as watchdogs of the legislation to ensure that there would be no backsliding.

Of course employment discrimination did not disappear in Ontario, but the Act marked the beginning of an era in which discrimination was no longer acceptable. Both the JPRC and the Jewish Labour Committee saw the legislation as the "thin edge of the wedge." Once the Ontario government had admitted that discrimination in employment was unjust and immoral, how could it be condoned in other areas such as housing?

Predictably, the moment the Act had passed the human rights groups around the JPRC began lobbying for a fair accommodations practices law. And Dresden became the focus for the struggle. So outrageous was the anti-Black behaviour of many of the town's businesses, that a huge lobby led by the Jewish Labour Committee was mounted to compel the government to introduce legislation preventing discrimination in housing and service. And in March of 1954, the Frost government introduced just such a bill in the Ontario legislature.

One final item remained on the community's agenda: to create, as the director of the Jewish Labour Committee described it in 1954, one department "which could administer the [anti-discrimination] laws, establish contact with the public at large and be in charge of educational programmes."<sup>26</sup> Such a human-rights commission had been established by the Socialist government of Saskatchewan in 1947, and the activists in Ontario believed it was time to create one in their province.

For the next few years the JPRC, the Jewish Labour Committee, and the Association for Civil Liberties and their allied organizations made this campaign their highest priority. In 1956 they submitted a lengthy brief to the government outlining the need for a human-rights commission and outlining its powers. In response, the Ontario government created the Ontario Anti-Discrimination Commission.

However, not satisfied with the limited powers of this commission, human rights advocates demanded one with, in Kaplansky's words, "real teeth." And it was clear that such a commission was necessary. Studies sponsored by the Congress indicated that discrimination in hiring and housing was still wide-

25 Carmela Patrias and Ruth Frager, " 'This is our country, these are our rights': Minorities and the Origins of Ontario's Human Rights Campaigns," *Canadian Historical Review* 82/1 (March 2001): 1-35; James Walker, "The Jewish Phase in the Movement for Racial Equality in Canada," in *Heritage in Transition: Essays in Canadian Jewish Studies*, Irving Abella and Joseph Levy eds. (McGill-Queen's University Press, forthcoming).

26 CJC. Survey of Group Relations in Canada, Kalman Kaplansky: 3-5.

spread. A private study commissioned by Tom Eberlee, the personal assistant to the Premier, produced similar results. Finally in 1962 the government created the Ontario Human Rights Commission, many of whose powers were those recommended in the brief of the Canadian Jewish Congress five years before.

The victory was now largely complete. Though obviously racism and discrimination would not disappear, there were now in place mechanisms and legislation to protect minorities. With both anti-discrimination statutes and human rights commissions successfully established, not only in Ontario but in most provinces, the human rights lobby could move onto other issues.

Thus, by the 1960s, Canada had turned the corner. For Jews, as well as for this country's other minorities, that decade was a watershed. Before it existed the old Canada, parochial, nativist, exclusionary; beyond it a new Canada was taking shape, a Canada of diversity, colour, vibrancy, a Canada of open minds rather than closed doors, a Canada in which Jews and other ethnic groups were quickly becoming part of the Canadian mainstream, and were seen as part of the solution rather than as part of the problem.

The decade began with Canada finally repealing its odious racist immigration laws and opening itself up to all the world's nations, and it closed with a government commitment to implement an official policy of multiculturalism. And it was in the 1960s that all of the barriers, restrictions and quotas against Jews crumbled, one by one, sector by sector. At long last, after 200 years in the country, the Jewish community would be able to play out its dreams and become an integral part of the very same Canadian society that had excluded it for so long. It was, said an observer, a social earthquake, demolishing creaky, outmoded customs and institutions and creating a new Canadian society largely unrecognizable to Jews of a previous generation. It was in these years, recalled the long-time director of the Canadian Jewish Congress, Saul Hayes, that Canadian Jews finally became "white."<sup>27</sup>

And with reason. The elevation of Louis Rasminsky to Governor of the Bank of Canada in 1961 indicated that Ottawa would no longer be, in the words of a former British High Commissioner Joe Garner, the most "anti-Jewish capital city" he had ever encountered. The breakthrough meant that the "Ottawa men" would now include Jews, as they would soon include women. A few years later, Herb Gray became the first Jew since Confederation to sit in a federal cabinet, and David Lewis the first to lead a national political party. In that decade as well, hospitals finally began accepting Jewish doctors and major law firms began hiring their first Jewish lawyers. And of course, the universities dropped their quotas and restrictions, best symbolized by the appointment at the University of Alberta of Max Wyman as Canada's first Jewish university president.

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27 Interview, Saul Hayes, June 1980.

## JEWS, HUMAN RIGHTS, AND THE MAKING OF A NEW CANADA

Hayes, Kaplansky and Kayfetz and all the other intrepid men and women in the human rights trenches of the 1940s and 50s had succeeded far better than they realized. They had helped set the table not only for Jews, but for other minority groups as they made their way in Canadian society, a path made easier because of Jewish activists of a previous generation.

Of course the battle for human rights in Canada is not yet won. Racist, homophobic, and xenophobic attitudes still manifest themselves too often, and much remains to be done. Yet who can deny that today's Canada is a far better place, and that its minorities better integrated thanks in large part to the trail-blazing efforts 50 years ago by the Canadian Jewish Congress and the Jewish Labour Committee.